DR/FONSI
For the Programmatic
Fenceline
Environmental Assessment
EA-NV-040-5-27

Decision: I have reviewed the programmatic environmental assessment for fencelines. It is technically adequate and consideration has been given to all appropriate resource values. I approve of this document as a programmatic environmental assessment to be supplemented by site specific amendments.

Rationale: This will provide for NEPA compliance while expediting the environmental assessment process. This approach is viable since the proposed actions remain fairly constant, and the impacts and appropriate mitigation are similar from project to project.

FONSI: There will not be a significant impact to the quality of the human environment from approval of this environmental assessment. An environmental impact statement is not required.

Kenneth G. Walker
District Manager

6-23-86
Date

DISTRICTWIDE FENCELINE ENVIRONMENTAL ASSESSMENT
EA-NV-040-5-27

REVIEW DRAFT
Jake Rajala

July 2, 1985
Ely District BLM

INTRODUCTION

This moderate intensity environmental analysis addresses fencing projects on a districtwide basis. This approach is being used to expedite the environmental analysis process through use of one EA with subsequent site specific amendments in place of separate EA's written on every fencing project. This approach is viable for fencing projects since the proposed actions remain fairly constant, and the magnitude and type of impacts and appropriate mitigation are quite similar from project to project. Cattle guards and gates are normal components of a fenceline and will be included in this evaluation.

BACKGROUND

Purpose and Need for the Proposed Action

The specific purposes for construction of a fence will vary by project. The usual purposes for constructing a fence are one or more of the following:

1) To prevent unauthorized livestock use and resolve trespass livestock problems.

2) To stop cattle drift.

3) To achieve better utilization of the forage resource through control of livestock movements and use.

4) For ease of livestock management.

5) To necessitate fewer and more efficient compliance checks by BLM.

6) To exclude livestock and/or wild ungulates from specific areas.

The need to achieve these purposes is to help the BLM meet their multiple use management obligation of managing the rangeland resource. Fences are a management tool to promote efficient and proper utilization of the forage through controlling distribution of livestock.

Relationship To Planning

The Schell MFP was completed in 1982. Schell MFP-III RM-4 decision is to "Install livestock management facilities to enhance range management". The Egan RMP is in final draft form. It is currently under protest, but the protests do not relate to this proposed action. According to the Egan RMP, range improvements such as fences will be used to implement Allotment Management Plans.

Fence construction for livestock management while protecting other resource values is consistent with the Draft County Plans for public lands for Lincoln, Nye and White Pine Counties. Each of the County Plans states for the Federal Government to "preserve agricultural land and promote the continuation of agricultural pursuits in Nevada". In addition; the Lincoln County Plan states that, "range improvement projects should be developed to improve grazing", and the White Pine County plan states that, "acceleration of range improvements should be encouraged."

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

Proposed Action

Fence construction whether by the BLM, an outside contractor, or the permittee will follow Bureau standards. Bureau standards also apply to the cattle guards and the gates. Fences are usually built according to Bureau drawing O2445-1, type "A" barbed wire fence. They are 4 wire with spacing of 16"-6"-8"-12" from bottom to top (Antelope, deer and cattle specifications). The fence uses 2 barb flat wire with a smooth bottom wire and 16 feet between posts, with stays. Steel fence posts are usually used, with juniper or other wood posts on corners, gates, stretch points, and cattle guards. Occasionally a woven wire fence is used to control sheep. This would also be built according to Bureau standards.

Location and extent of the fencelines will depend on site-specific objectives. Fences are considered a long term development with a life span of more than 20 years. Fence construction will involve detailing the equipment and manpower to the project site, and once there, onsite logistic transport

along the fenceline. This almost always involves cross country travel. Travel is usually by 4 wheel drive pick-up truck. Unless the management objectives require a laydown fence, steel fence-post are pounded into the ground to a depth of about 2 feet. If it is extremely rocky, holes for the steel posts may need to be drilled. Juniper post holes are dug, either by hand or with a power post hole digger. The wire is stretched, and clipped or stapled to the fence-post. Cattle guards are transported via existing roads, and a backhoe is normally used to dig the placement. Normal maintenance is part of the proposed action. This consists of ocular reconnaissance of the fenceline, gates, and cattle guard condition and subsequent repair.

Alternatives

Appropriate alternatives will be considered in the amendments on a site specific basis and in relationship to the specific objectives to be accomplished. Possible alternative actions are listed in this document so that their applicability to any amendments can be considered. They will be analyzed if applicable in the subsequent amendments to this EA. Impacts of the no action alternative are considered within this environmental assessment.

Viable alternatives to achieve the usual purposes and needs of a given fenceline consist of one, or a combination, of the following:

1) Relocation of the fenceline.

2) Combine allotments.

3) Re-define the boundaries of allotments to utilize natural barriers and with consideration of normal movements of livestock.

4) Trespass the guilty parties .

5) Promote better cooperation between/among ranchers.

6) Utilize herding of the livestock.

7) Use of water and/or salt.

8) Use of herders.

Certain standard operating procedures are by definition part of the proposed action or any alternative. These are listed below.

1) Gates with opening devices and/or cattle guards will be installed on all usable roads. Cattle guards will be used on all maintained roads and gates put on secondary roads.

2) Gates with opening devices will also be installed where appropriate for management and access; but not to exceed a distance of one mile between gates or cattle guards.

3) Gates with opening devices will be installed adjacent to all cattle guards.

4) Fences will be built to deer and/or antelope specifications.

5) Environmental assessments in the form of amendments to this EA will be done before project development to evaluate impacts on a site-specific basis.

6) Time of day and/or time of year restrictions will be utilized in those areas where construction activities are in the immediate vicinity or would cross sage grouse strutting, nesting and wintering grounds; critical wild sheep areas, critical mule deer and pronghorn antelope winter range; antelope kidding areas, or active ferruginous hawk nest sites. The restrictions are listed below. The level of restriction necessary will be specified in the site specific amendments.

Restrictions -

a. Sage grouse strutting grounds: Do not disturb strutting birds from March 1 to May 15 -- 2 hours before dawn until 10 a.m.

b. Sage grouse nesting grounds: Do not disturb nesting birds from late May to Mid-June.

c. Sage grouse wintering grounds: Avoid disturbance from November 1 to March 31.

d. Wild sheep wintering grounds: Avoid disturbing activity from November 1 to March 31.

e. Critical mule deer and antelope winter range: Avoid activities which would stress animals between November 1 to March 31.

f. Active ferruginous hawk nest sites: Avoid activities which might flush nesting birds between April 1 to mid-June-within 1/2 mile of the nests.

g. Critical pronghorn antelope kidding areas: Avoid activities which would disturb females/young from May 1 to June 30.

7) No surface disturbance is to take place within the 1/2 mile buffer zone on either side of the Pony Express Route. The only exceptions allowed will be for the exploration of oil, gas, and geothermal and for the exploration and development of locatable mineral resources under the 1872 Mining law. Specific stipulations for minimizing adverse visual and physical effects including rehabilitation will be required. These stipulations will be developed through the environmental review process for each action.

8) Prior to the approval of a project which may harm or destroy any known Native American religious or cultural sites, the affected Native American tribes or organizations will be contacted for further consultation.

9) Threatened or endangered plant or animal species clearance is required before implementation of any project. Consultation with the Fish and Wildlife Service per Section 7 of the Endangered Species Act is necessary if a threatened of endangered species or their habitat (especially proposed or designated critical habitat) may be impacted. If there is deemed to be an adverse impact, either special design, relocation or abandonment of the project will follow.

10) Cultural resource protection requires compliance with Section 106 of the National Historic Preservation Act of 1966, Section 2(b) of Executive Order 11593, and Section 101(b)(4) of the National Environmental Policy Act (NEPA) of 1969. Prior to project approval, intensive field (Class III) inventories will be conducted as appropriate to identify potentially impacted sites. If cultural or paleontological sites are found, every effort will be made to avoid impacts. Data recovery plans will be developed and BLM will consult with the State Historic Preservation Officer and the Advisory Council on Historic Preservation, in accordance with the Programmatic Memorandum of Agreement by and between the BLM and the Council dated January 14, 1980. This agreement sets forth a procedure for developing appropriate mitigative measures to lessen the impact of adverse effects.

11) Fence construction will comply with Nevada State Office fence engineering specifications (Drawing No. NV-02833 (53). Lay-down fences will be constructed in wildlife and wild horse areas if necessary and feasible. Fences in wild horse areas will contrast enough with surrounding so as to be visible to horses and will have gates installed at least once every mile and at all corners. Fences in wild horse herd use areas will be located to minimize interference with the normal distribution and movement of wild horses. Selected portions of new fences constructed in these areas will be flagged or otherwise marked for one year after construction to make them more visible to horses.

12) Maintenance of fences will be accomplished by operator(s) through cooperative agreements with the BLM, or through range improvement permits.

13) Areas which are disturbed by development of facilities be seeded with non exotic species to prevent erosion and replace ground cover. In most instances, reseeding to prevent erosion and replace ground cover will not be necessary with normal fence construction. The necessity of reseeding will be handled on a case by case basis.

14) Project area cleanup will be accomplished by removing all refuse to an approved sanitary landfill.

15) Visual resource management requires all actions to be in compliance with BLM Visual Resource Management Design Procedures in BLM Manual 8400. On any project which has a visual contrast rating that exceeds the recommended maximum for the visual class zone in which it is proposed, mitigating measures must be examined. The ultimate decision as to whether mitigating measures must be implemented or not rest with the District Manager and will be made on a project-by-project basis.

16) Access will be via existing roads and trails whenever possible. Where existing routes are not available, off road travel will be kept to the minimum necessary for construction. Traffic along the fenceline should be limited to one side of the fence, if possible.

17) Removal of vegetation will be held to the minimum necessary for construction, access, and to provide for safety.

18) The operator shall make every effort to prevent causing any fire. The operator shall make effort, within their expertise, to contain and control any fire they cause. All wild fires within the operating area must be reported immediately to the Ely District.

19) All activities will be restricted to those areas and those activities for which all appropriate resource surveys have been conducted and District Manager approval obtained. Any substantial change in activities or work area must be approved by the District Manager.

20) All survey monuments, witness corners, and reference monuments must be protected against destruction, obliteration or damage. Any damaged or obliterated markers must be reestablished in accordance with accepted survey practices at the expense of the responsible party.

21) If road maintenance is necessary, it will be conducted by methods approved by the BLM (road and ditch, maintenance specifications drawing NV-0409110-441).

22) Operations will be conducted in such a manner as to prevent degradation or destruction of any existing development such as other fences, wells or other range improvements The responsible party for this action will be accountable for any damage to existing development on public land or any damage to private land or developments resulting from this action.

23) This authorization allows access to public land only. Approval to gain access to private land must be obtained from the land owner.

DESCRIPTION OF THE AFFECTED ENVIRONMENT

Affected environments will be described as necessary on a site specific basis within the amendments to this EA. Specific affected environments will be described to the extent that anticipated impacts and proposed mitigation are fully understandable.

The affected environment is described in a general sense within numerous planning documents. Foremost among these are the Planning Area Analysis for the Schell Resource Area, the Schell Unit Resource Analysis portions of the MFP, the Egan RMP, the

Management Situation Analysis done for the Egan RMP, the preliminary FEIS for the MX (October 2, 1981), the cultural resources summary of the Elko and Ely District and the White Pine Power Project EIS. These documents provide description of the potentially affected environment in the Ely District.

ENVIRONMENTAL CONSEQUENCES

Impacts will be analysed on a site specific basis in the amendments. Impacts will vary by site but there is general uniformity of impacts among different fencing projects that it is possible to describe typical impacts by resource.

Assumptions For Impact Analysis

1) The rangeland monitoring program will adequately record forage used by foraging animal and allow for establishment of proper stocking levels.

ANTICIPATED IMPACTS OF FENCELINE CONSTRUCTION

The standard operating procedures would mitigate many of the potential adverse impacts which could result from fences. During the survey and design phase, when exact location of each fence is determined, site specific environmental analysis will be done covering anticipated impacts. There are no impacts anticipated from fenceline construction to areas of critical environmental concern, prime or unique farmlands, wild and scenic rivers, mineral resources, flood plains and wetlands, or paleontological resources. Impacts by resource are as follows:

Water Resources

The quantity and quality of certain water resources could be enhanced over the short and long terms. Improved distribution of livestock could lessen trampling and pollution impacts on water sources. Fencing of spring heads would protect them from trampling and pollution by livestock, wildlife and wild horses. Access to water will be provided outside the fence. Use of new water sources could result in new areas of impact.

Soils

Effective ground cover could be improved through improved distribution of livestock. This would decrease soil erosion, which would be most beneficial in the steeper terrains.

Where livestock and wild horses are excluded from certain springheads and riparian areas, soil erosion would decrease. New "sacrifice areas" would likely develop adjacent to fences and at available water sources, where soil erosion would be accelerated. Installation of projects would disturb soils and cause some increase in compaction, displacement and erosion.

Air Quality

Minor temporary increase in air pollution would occur from dust and exhaust fumes associated with construction activities. Impacts would be temporary and would dissipate quickly. Any increase in effective ground cover from vegetation protection and proper distribution of grazing would lessen air pollution from wind borne soil.

Forestry

There would be inconsequential impacts to forestry. Some trees would be removed or limbed in the line of fence construction.

Vegetation

Any improvement in distribution of livestock, should be designed to allow plants to complete growth cycles and increase carbohydrate reserves, thereby increasing vigor, reproduction and favorable species composition in the community. Improved range condition and/or carrying capacity could be achieved. Better distribution of livestock and wild horses from use of fencing is expected to result in more uniform utilization of the forage and thus reduce areas of overutilization. Excluding livestock and wild horses from riparian areas and springheads could result in a marked improvement of condition in the protected areas and could even allow enlargement of the riparian areas.

Because of typical bovine behavior, they would tend to congregate and trail along the accessible side of the fence. In this vicinity they will trample and/or consume the vegetation. This will encourage a localized trend toward an increase in invader species. The disturbance from trampling would be confined to a narrow zone of 1 to 2 feet across. Crushing of vegetation would also occur from the actual fence construction.

Fencing, with the subsequent improved livestock distribution, could result in improved forage condition and trend within localized areas.

Wildlife

Controlling cattle distribution through fencing could provide protection for crucial wildlife habitats, could improve the quantity and quality of forage for wildlife, and expand and enhance suitable habitats.

The direct effects of controlling grazing on wildlife are unknown, but, to the extent that better control of livestock and wild horse use would result in better distribution and controlled vegetation usage, impacts would be beneficial. Rested pastures would provide food and cover for wildlife. Big game fawning, kidding, and wintering areas could be enhanced.

Fencing would indirectly benefit wildlife through better distribution of livestock and reduction of overgrazed areas. However, the fences, even though they would be built to deer and/or antelope specifications, may result in some deer and antelope mortalities. Passage over fences on slopes may be difficult for deer and elk. Passing through "loose" fences may be hazardous for wildlife. Fencing would also benefit wildlife through exclusion of livestock and wild horses from key habitats such as springheads and riparian areas.

The impact to wildlife from any type of fence will greatly depend upon its placement. Actual construction or development of the various projects would result in some temporary displacement and/or harassment of resident wildlife.

Riparian and wetland area protection and expansion would greatly benefit sage grouse since they use riparian areas for brooding. Fences may, however, serve as raptor perches and increase predation on sage grouse. The fence posts would also serve as perches for other species of birds. Protection and enhancement of springheads and riparian areas through fencing would benefit mule deer since these areas serve as fawning areas and provide much needed nutrition for lactating does. The enhanced riparian areas and meadows would also serve as kidding areas for antelope.

Threatened and Endangered (T and E) Animals

There are no impacts to T and E animals inherent in fenceline construction. Impacts to T and E animals will be evaluated on a site-specific basis through amendments.

Threatened and Endangered (T and E) Plants

Positive or negative impacts could occur depending on fence location. Surface disturbance could destroy some T and E vegetation. Control of ungulate distribution could help protect some T and E species.

Wild Horses

Wild horses could benefit from improved distribution of livestock through use of fences if there is a subsequent improvement in forage. Part of the improved forage could be available to wild horses.

The wild and free roaming characteristic of wild horses could be adversely affected. Fences could pose a barrier to normal daily and seasonal movements of wild horses. Even though all new fences will be flagged to be visible to wild horses, it is inevitable that some wild horses will eventually become entangled in the barbed wire and be injured or killed.

Recreation

Additional fencing may inhibit cross-country horse and vehicle travel. Cross country skiers and snowmobilers may also adversely affected. The inclusion of gates at access points and at intervals will help negate this impact. Recreation access will be improved through creation of the trails used for fenceline access and construction.

Cultural Resources

Cultural Resources would be impacted from the surface and sub-surface disturbance. Severity of the impacts would vary by site. Any fencing to protect springs or riparian areas could impact artifacts but could also protect potentially significant sites from further or additional disturbance. Cultural materials are often situated on the ground surface or just below. Because of this they are susceptible to trampling impacts by livestock and wild horses. Changing the areas impacted by trampling could create new areas of disturbance to cultural resources. Even with the SOP's meant to protect cultural resources, collecting of artifacts by fence construction workers may occur. As a benefit to cultural resources, additional sites would likely be discovered through the SOP of inventory on a site specific project basis.

If decreased erosion results from more effective ground cover, then cultural resources in some areas would be held <u>in situ</u>.

Visual Resources

Fences will primarily be located in areas of lower visual resource management class zones-in the valleys and lower foothills. Therefore, most visual impacts would be within

acceptable limits. However, these same areas include the primary travel routes, so certain fences would be in the foreground in some areas. Fences would introduce contrasts into the landscape. However, much of the district is in a "seldom seen" zone so that contrasts would not be seen by many people. Vegetative and topographic screening will hide some of the fenceline and posts. Also, the viewer will be able to see "through" the fence which will lessen the impact. Cattle guards will be very noticeable (for safety purposes) and will be located on traveled routes. The 2-track roads which usually develop alongside the fencelines will also introduce contrasts into the landscape. These are most noticeable where the fenceline road is on an aspect facing the viewer.

Wilderness

Fences are permitted in W.S.A.'s under certain conditions and for certain purposes. The Interim Management Policy Guidelines for Lands under wilderness states, "permanent fences may be built and maintained if the BLM determines that they are needed to better protect the rangeland in a natural condition." When they are necessary, and are permitted they will undoubtedly impact naturalness within an impact zone. However, if they are permitted, the positive benefits of resource protection should outweigh the negative impacts.

Social and Economic

A reduction in drift and trespass through fencing will encourage amicable relationships among permittees, and between permittees, and the BLM. Lifestyles of residents would not be impacted. There may be a slight increase in standard of living. Installation of the projects and developments will provide minimal economic stimulation to the area. Materials will be bought for the projects and paid labor will install them. By limiting grazing to authorized use areas, less range supervision and associated costs would be necessary by the BLM.

More efficient use of the forage resulting from better distribution of livestock could result in improvement in animal condition and this economically benefit the permittee.

The fences will add value to the permittee's operation which they may be able to realize through sale of the base property. Keeping livestock off highway rights-of-ways and travel routes will eliminate the possibility of livestock-vehicle collisions and thus provide a safety factor. The social conflicts due to potential livestock trespass would be substantially eliminated.

Residual Impacts

1. Wildlife and/or wild horses may get tangled in new fences in spite of their being built to deer and/or antelope specifications, and flagging them for greater visibility by horses and wildlife.

2. Livestock "sacrifice areas" will develop along new projects such as fences and water facilities.

3. Visual contrasts will be introduced into the landscape from the fenceline itself and the construction/maintenance road.

4. Some disturbance will inevitably occur to cultural resources whether through inadvertent crushing by equipment, overlooking of artifacts by archaeologists, surface collecting of artifacts by construction workers and trampling by ungulates.

Proposed Mitigating Measures

1) Efforts should be made to avoid significant cultural resource sites during the survey and design phase. There is some leeway in exactly where the fences are placed. The archaeologists should be involved in the planning and design phase.

2) Gates should be left open when livestock are not being confined or controlled, except on areas which are being protected. This will allow for freedom of movement by wild horses and other large ungulates.

3) If cultural resources will be impacted through fenceline construction, these impacts can be mitigated in various ways. Consideration should be given to 1. creating a traffic corridor through the site, 2. recording and mapping the site, 3. surface collection, 4. excavation, and/or 5. having an archaeologist present during construction.

4) Consideration should be given to lowering the top wire at deer crossings on slopes.

5) Ensure that the fence is maintained properly -- a "loose" fence would entrap more wildlife, livestock and wild horses.

6) Consideration should be given to the normal daily and seasonal movements of wild horses during the fenceline survey and design phase.

IRREVERSIBLE AND/OR IRRETRIEVABLE COMMITMENT OF RESOURCES

None, except for the expenditure of energy during project development and the expenditure of the raw materials in creating the fencing materials.

ANTICIPATED IMPACTS OF THE NO ACTION ALTERNATIVE

Under this alternative the fenceline would not be built. There would be no anticipated impacts to areas of critical environmental concern, prime or unique farmlands, wild and scenic rivers, mineral resources, flood plains and wetlands or palentological resources. Impacts which would occur under this scenario are basically the corollary of those impacts listed for the proposed action. In addition, the situation of less than desirable control of ungulate distribution would continue.

INTENSITY OF PUBLIC INTEREST

Public notification of this EA was not done, and public comments were not solicited. Public input will be sought as deemed appropriate on a specific project basis. The local ranching community has an interest in range improvement projects, particularly the directly affected permittees. Sportmens Organizations and the Nevada Department of Wildlife are interested in any developments that could impact wildlife. Various wild horse interest groups are concerned with projects in wild horse herd areas.

RECORD OF PERSON, GROUPS AND AGENCIES CONTACTED

Jake Rajala - Environmental Coordinator/Social and Economics

Shaaron Netherton - Recreation/VRM/Wilderness

Kathy Lindsey - Rangeland Resources/T&E Plants

Mark Barber - T&E Animals

Rita Suminski and Mike Perkins - Wildlife

John Zancanella and Sarah Johnston - Cultural Resources

Cris Ann Bybee - Soils/Air

Leonard Brouse - Operations

Desi Zamudio - Watershed

Bob Brown - Wild Horses

Bill Lindsey - Range

Loran Robison - Range

SUGGESTED MONITORING

Appropriate monitoring will be proposed as directed by the "Suggested Monitoring" discussion in part X on page 14 of the Ely District Environmental Assessment Guidebook.

VIII. SIGNATURES

Prepared by Jake Rajala — Jake Rajala — 6/11/86 — Date

Reviewed by Jake Rajala — Environmental Coordinator — 6/11/86 — Date

Egan Area Manager — ACTING — 6/13/86 — Date

Gerald M. Smith — Schell Area Manager — 6/13/86 — Date

Wayne M. Thomas — Chief of Resources — 6/20/86 — Date